

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**MICHAEL W HARROLD**  
Claimant

**APPEAL 16A-UI-03640-EC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 02/14/16  
Claimant: Appellant (6)**

Iowa Code §96.4(3) – Able & Available  
Iowa Admin. Code r. 871-24.2(1)e – Failure to Report  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Admin. Code r. 871-26.11 – Motions  
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the unemployment insurance decision dated March 21, 2016, reference 01, denying benefits as of March 13, 2016, due to his failure to report to Iowa Workforce Development for a re-employment and eligibility assessment as directed. Before a hearing was scheduled, Iowa Workforce Development issued favorable decisions to the claimant, making the issue on appeal moot. Therefore, no testimony or additional evidence was necessary. No hearing was scheduled or held.

**ISSUES:**

Should the most recent unemployment insurance decisions be affirmed?

Should the appeal be dismissed as moot?

**FINDINGS OF FACT:**

The pertinent agency documents relating to this claimant establishes the following facts: An unemployment insurance decision dated March 21, 2016, reference 01, determined that the claimant was not eligible to receive unemployment insurance benefits as of March 13, 2016, because he failed to report to Iowa Workforce Development for a re-employment and eligibility assessment as required. The claimant appealed this decision on March 24, 2016. Before a hearing was scheduled, Iowa Workforce Development issued a favorable decision to the claimant, dated April 1, 2016, reference 04, stating that the claimant was eligible for unemployment insurance benefits beginning on March 13, 2016, as long as he meets all the other eligibility requirements. This decision, dated April 1, 2016, reference 04, allowed benefits without a gap in coverage, making the issue on appeal moot.

In addition, Iowa Workforce Development issued a decision dated March 29, 2016, reference 02, denying benefits as of March 27, 2016, because the claimant did not report for a reemployment services orientation on March 28, 2016. Then, Iowa Workforce Development issued a decision dated March 31, 2016, reference 03, allowing benefits as of March 27, 2016, because the claimant participated in the reemployment services orientation as required.

#### **REASONING AND CONCLUSIONS OF LAW:**

Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). “A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent.” *Iowa Bankers Ass’n v. Iowa Credit Union Dep’t*, 335 N.W.2d 439, 442 (Iowa 1983)

The decision appealed was amended in favor of the appellant, making this appeal moot. The appeal of the original representative’s decision dated March 21, 2016, reference 01, is dismissed. The most recent decision, dated April 1, 2016, reference 04, is affirmed.

Furthermore, the decision dated March 31, reference 03, allowed benefits following the claimant’s attendance at the reemployment services orientation later in March. This subsequent agency action further resolved matters in the claimant’s favor.

#### **DECISION:**

The unemployment insurance decision dated March 21, 2016, reference 01, is dismissed. The decision issued on April 1, 2016, reference 04, is affirmed. The appeal is dismissed as moot.

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Emily Gould Chafa  
Unemployment Insurance Appeals Bureau

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Decision Dated and Mailed

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